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Our File No. 20.70060

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**BASSEM KANDIL and FLORA KANDIL,  
his wife,**

**Plaintiffs,**

**vs.**

**POLICE OFFICER GARY YURKOVIC,  
POLICE OFFICER ANTHONY MARK  
ABODE, POLICE OFFICER WILLIAM C.  
OELS, III, SERGEANT WILLIAM  
OELS, CHIEF OF POLICE, CITY OF  
NEW BRUNSWICK, CITY OF NEW  
BRUNSWICK POLICE DEPARTMENT,  
MIDDLESEX COUNTY PROSECUTOR'S  
OFFICE, MIDDLESEX COUNTY  
CORRECTIONAL FACILITY, JOHN DOE  
SUPERVISING OFFICERS 1-10, JOHN  
DOES 1-10, ABC CORPS. 1-10,**

**Defendants.**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**CIVIL ACTION  
NO. 06-4701 (JAG-MCA)**

**CERTIFICATION OF  
GARY S. SPAGNOLA, ESQ.**

I, Gary S. Spagnola, certify as follows:

1. I am an attorney at law of the State of New Jersey and am a shareholder in the law firm of Golden, Rothschild, Spagnola, Lundell, Levitt and Boylan, P.C., attorneys for Defendant, Anthony Mark Abode, and I am completely familiar with facts of the within matter.

2. This Certification is made in support of the annexed Notice of Motion for Summary Judgment dismissing the Plaintiffs' Amended Complaint, with Prejudice, as to Defendant, Anthony Mark Abode.

3. The Defendants are filing a Procedural History, Statement of Facts, Joint Brief, Affidavit of Julia McClure and Certification

of William Connell, Esq., and the Exhibits attached to the Certification, submitted by William T. Connell, Esq., counsel for Defendant, Gary Yurkovic.

4. The Defendant, Anthony Mark Abode, will rely on the Procedural History, Statement of Facts, Brief, Affidavit of Julia McClure and Certification of William T. Connell, Esq., and the Exhibits attached to the Certification, submitted to the Court with the Notice of Motion for Summary Judgment filed on behalf of Defendant, Gary Yurkovic.

5. A Statement of Non-Necessity of Brief pursuant to F.R.C.P. 12 is submitted in support of this Motion for Summary Judgment.

I hereby certify that the foregoing statements made by me are true. I am aware of any of the foregoing statements made by me are willfully false, I am subject to punishment.

GOLDEN, ROTHSCHILD, SPAGNOLA,  
LUNDELL, LEVITT & BOYLAN, P.C.  
Attorneys for Defendant,  
Anthony Mark Abode

/s/ Gary S. Spagnola  
GARY S. SPAGNOLA

Dated: August 31, 2009